

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 3 1 1999

U.S. Court of Appeals Docket Number: 99-35335
Lower Court Docket Number: CV-97-00239-RHW

CATHY A. RAY, CLERK
U.S. COURT OF APPEALS

ROBERT E. WHITE; TERESA JANE WHITE, and their marital community on their own behalf; CHARLES V. MCCLELLAN, JR., on their own behalf and as representatives of classes of similarly situated persons; DON BYERS; DON KREITZ, Spokane, Washington; DONNA BRYANT, individually, and as personal representative of the estate of David L. Bryant; DAVID L. BRYANT, deceased, Estate of; WILLIAM DANA; CLARA DANA; MICHAEL DONOVAN; VINCENT FRAULINI; HELEN FRAULINI; WILLIAM JANSEN; DAVID METREVELI; DONALD NELSON; OBIE NOONKESTER; JACK SHEPARD; JESS SHIRLEY; CHARLES STOWELL

Plaintiffs - Appellees

v.

C. ALVIN PAULSEN, M.D., in his individual and former official capacity; ROBERT J. RHAY, in his individual and former official capacity; WILLIAM CONTE, Dr., in his individual and former official capacity

Defendants - Appellants

and related case(s)

T I M E S C H E D U L E O R D E R

The parties shall meet the following time schedule:

-> Appellant/petitioner shall notify appellee/
respondent of transcripts to be ordered, pursuant to
Circuit Rule 10-3.1(a);

3/1/99

-> Appellee/respondent shall notify appellant/
petitioner of any additional transcripts needed,
pursuant to Circuit Rule 10-3.1(b);

3/10/99

-> Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to Circuit Rule 10-3.1; 3/22/99

-> Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and Circuit Rule 11-1.1; 4/20/99

-> Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and Circuit Rule 32-1; 6/7/99

-> The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and Circuit Rule 32-1; 7/6/99

-> The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and Circuit Rule 32-1.

FAILURE OF THE APPELLANT TO COMPLY WITH THE TIME SCHEDULE ORDER WILL RESULT IN AUTOMATIC DISMISSAL OF THE APPEAL. CIRCUIT RULE 42-1.

APPELLANTS/PETITIONERS WITHOUT REPRESENTATION OF COUNSEL IN A PRISONER APPEAL MAY HAVE THEIR CASE SUBMITTED ON THE BRIEFS AND RECORD WITHOUT ORAL ARGUMENT, PURSUANT TO FRAP 34(a). WITHIN 10 DAYS OF THE FILING OF THE APPELLANT'S OPENING BRIEF, PARTIES MAY FILE A STATEMENT SETTING FORTH THE REASONS WHY, IN THE OPINION OF THE PARTIES, ORAL ARGUMENT SHOULD BE HEARD.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court


By: Stephanie Acree
Deputy Clerk